APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,159	07/09/2003	Michael Novak	MS#196420.01 (5054)	9755

321   7590   01/23/2007

SENNIGER POWERS
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER
WONG, NOBLE S

ART UNIT	PAPER NUMBER
2173	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/23/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/23/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@senniger.com

PTOL-90A (Rev. 10/06)

Office Action Summary	Application No.	Applicant(s)
	10/616,159	NOVAK ET AL.
	Examiner	Art Unit
	Noble S. Wong	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 July 2003</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-50</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-50</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date ____ ____
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 23-44 recite the limitation "computer-readable medium," but do not explicitly define computer readable media as transmission or carrier signals. However, one of ordinary skill in the art can interpret the media as claimed in its broadest reasonable sense as covering transmissions as referred in the specification (see [0044]). As such, transmission or carrier signals are not considered to be statutory subject matter since it is not either process, machine, manufacture, or composition of matter {see the "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" Annex IV(c)}.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Chasen et al. (US Patent # 6,760,721 B1).

As to independent claim 1, Chasen et al. teach a method for modifying metadata of a media file in a media library (i.e. audio metadata for files in master tree 122, see col. 5 lines 26-30), said media file having a metadata field that includes property data (i.e. metadata, see col. 9 lines 29-42), and wherein the property data defines a property of the media file, comprising:

- selecting a media file from a list of media files being displayed via a graphical user interface (i.e. selection of a song by mouse click, see col. 15 lines 8-13);
- associating the selected media file with property category data within a property category, wherein the property category data defines a different property than the property of the media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13); and
- modifying the metadata field of the selected media file to correspond to the different property defined by the property category data (i.e. see col. 15 lines 21-29).

As to claim 2, Chasen et al. teach the method of claim 1, wherein selecting the media file includes selecting and dragging the media file from a first location within the graphical user interface, and wherein the associating the selected media file with property category data includes dropping the selected and dragged media file onto the property category data at a second location within in the graphical user interface (i.e. see col. 15 lines 8-13).

As to claim 3, Chasen et al. teach the method of claim 1, wherein selecting the media file includes selecting the media file via a context menu displayed in graphical user interface, and wherein the associating the selected media file with property category data includes identifying the property category data via the context menu displayed in the graphical user interface (i.e. by tree window 120).

As to claim 4, Chasen et al. teach the method of claim 1, wherein modifying includes: replacing the property defined in the metadata field of the selected media file with the different property defined by the property category data; or adding the different property defined by the

property category data to the property data in the metadata field of the selected media file (i.e.

see col. 15 lines 21-29).

As to claim 5, Chasen et al. teach the method of claim 1, wherein the metadata field of

the selected media file defines a genre property, an artist property, or an album title property (i.e.

metadata, see col. 9 lines 29-42).

As to claim 6, Chasen et al. teach the method of claim 5, wherein the selected media file

includes a plurality of metadata fields, and wherein modifying includes modifying a property

defined in one or more of the metadata fields (i.e. see col. 15 lines 21-29).

As to claim 7, Chasen et al. teach the method of claim 6, wherein modifying includes

- changing the property defined in each of the one or more metadata fields of the selected
  media file to include a new property when the different property defined by the property
  category data is an album title property (i.e. grouping tree includes a variety of categories,
  like album title, see col. 3 line 66 – col. 4 line 8, and a new property can be inherited upon
  click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the selected media file define one or more of the
  following properties: a collection ID property; a collection group ID property an album Artist
  property; a provider Style property; a provider Rating property; a buy URL property; a large
  Album Art URL property; a small Album Art URL property; a more Info URL property; a
  provider Name property; a provider URL property; and a provider Logo URL property (i.e.
  the metadata can include a plurality of properties like album artist, see col. 9 lines 29-42).

As to claim 8, Chasen et al. teach the method of claim 7, wherein modifying further

includes

- 'deleting a property defined in each of the one or more of the metadata fields of the selected
  media file when the different property defined by the property category data is an album title
  property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66
  – col. 4 line 8, and a property can be deleted upon inheritance upon click and drag, see col.
  15 lines 8-29), and
- wherein the one or more metadata fields define one or more of the following properties: a
  unique file identifier property; a release time property; and a content ID property (i.e. the
  metadata can include a plurality of identifiers , see col. 10 lines 14-19).

As to independent claim 9, Chasen et al. teach method for modifying metadata of one or

more media files in a media library (i.e. audio metadata for files in master tree 122, see col. 5

lines 26-30), said one or more media files each having a metadata field that includes property

data (i.e. metadata, see col. 9 lines 29-42), and wherein the property data defines a property of

the media file, comprising:

- selecting property category data within a property category being displayed via graphical
  user interface (i.e. mouse selection drag of a song, see col. 15 lines 8-13), wherein the
  property category data defines a property of one or more media files (i.e. a song);
- associating the selected property category data with different property category data, wherein
  the different property category data defines a different property than the property of the
  media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col.
  15 lines 8-13); and
- modifying the property data in the metadata field of the one or more media files having the
  property defined by the property category data to correspond to the different property defined
  by the different property category data (i.e. see col. 15 lines 21-29).

As to claim 10, Chasen et al. teach the method of claim 9, wherein the selecting includes

selecting and dragging the property category data from a first location within the graphical user

interface, and wherein the associating includes dropping the selected and dragged property

category data onto the different property category data at a second location in the graphical user

interface (i.e. see col. 15 lines 8-29).

As to claim 11, Chasen et al. teach the method of claim 9, wherein the selecting includes

selecting property category data via a context menu displayed in the graphical user interface, and

wherein the associating the selected media file with property category data includes identifying

the different property category data via the context menu displayed in the graphical user interface

(i.e. by tree window 120).

As to claim 12, Chasen et al. teach the method of claim 9, wherein modifying includes:

changing the property data in the metadata field of the one or more media files having the

property defined by the selected property category data to the different property defined by the

different property category data; or changing the metadata field of the one or more media files

having the property defined by the selected property category data to include the different

property defined by the different property category data (i.e. for selected property see col. 3 line

66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see col.

15 lines 8-29).

As to claim 13, Chasen et al. teach the method of claim 9, wherein the metadata field of

the one or more media files defines a genre property, an artist property, or an album title property

(i.e. metadata, see col. 9 lines 29-42).

As to claim 14, Chasen et al. teach the method of claim 13, wherein the selected property

category data defines a first genre property and the different property category data defines a

second genre property, and wherein modifying includes: changing property data in the metadata

field of the one or more media files having the first genre property from the first genre property

to the second genre property; or changing property data in the metadata field of the one or more

media files having the first genre property to include the first genre property and the second

genre property (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see

col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 15, Chasen et al. teach the method of claim 13, wherein the selected property

category data defines an artist property and the different property category data defines a genre

property, and wherein modifying includes: changing property data in the metadata field of the

one or more media files having the defined artist property from an existing genre property to the

genre property defined by the different property category data; or changing the property data in

the metadata field of the one or more media files having the defined artist property to include the

existing genre property and the genre property defined by the different property category data

(i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-

42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 16, Chasen et al. teach the method of claim 13, wherein the selected property

category data defines an album property and the different property category data defines a genre

property, and wherein modifying includes: changing property data in the metadata field of the

one or more media files having the defined album property from an existing genre property to the

genre property defined by the different property category data; or changing the property data in

the metadata field of the one or more media files having the defined album property to include

the existing genre property and the genre property defined by the different property category data

(i.e. for selected property see col. 3 line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-

42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 17, Chasen et al. teach the method of claim 13, wherein the selected property

category data defines a first artist property and the different property category data defines a

second artist property, and wherein modifying includes changing property data in the metadata

field of the one or more media files having the first artist property from the first artist property to

the second artist property (i.e. for selected property see col. 3 line 66 – c. 4 line 8, different

metadata, see col. 9 lines 29-42, and changing of the metadata, see col. 15 lines 8-29).

As to claim 18, Chasen et al. teach the method of claim 13 wherein the selected property

category data defines an album property and the different property category data defines an artist

property, and wherein modifying includes changing property data in the metadata field of the one

or more media files having the defined album property from an existing artist property to the

artist property defined by the different property category data (i.e. for selected property see col. 3

line 66 – c. 4 line 8, different metadata, see col. 9 lines 29-42, and changing of the metadata, see

col. 15 lines 8-29).

As to claim 19, Chasen et al. teach the method of claim 13, wherein the property category

data defines a first album property and the different property category data defines a second

album property, and wherein modifying includes changing property data in the metadata field of

the one or more media files having the first album property from the first album property to the

second album property (i.e. different metadata, see col. 9 lines 29-42, and changing of the

metadata, see col. 15 lines 8-29).

As to claim 20, Chasen et al. teach the method of claim 19, wherein each of the media

files having the first album property include a plurality of metadata fields, and wherein

modifying includes modifying a property defined in one or more of the metadata fields (i.e.

changing of the metadata, see col. 15 lines 8-29).

As to claim 21, Chasen et al. teach the method of claim 20, wherein modifying includes

- changing the property defined in each of the one or more metadata fields of the media files
  having the first album property to include a new property when the different property defined
  by the different property category data is an album title property (i.e. grouping tree includes a
  variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a property can be
  changed upon inheritance upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the media files having the first album property
  define one or more of the following properties: a collection ID property; a collection group
  ID property an album Artist property; a provider Style property; a provider Rating property; a
  buy URL property; a large Album Art URL property; a small Album Art URL property; a
  more Info URL property; a provider Name property; a provider URL property; and a
  provider Logo URL property (i.e. the metadata can include a plurality of properties like
  album artist, see col. 9 lines 29-42).

As to claim 22, Chasen et al. teach the method of claim 21, wherein modifying further

includes

- deleting a property defined in each of the one or more of the metadata fields of the media files having the first album property when the different property defined by the property category data is an album title property (i.e. grouping tree includes a variety of categories, like album title, see col. 3 line 66 – col. 4 line 8, and a property can be deleted upon inheritance upon click and drag, see col. 15 lines 8-29), and
- wherein the one or more metadata fields of the media files having the first album property define one or more of the following properties: a unique file identifier property; a release time property; and a content ID property (i.e. the metadata can include a plurality of identifiers , see col. 10 lines 14-19).

As to claims 23-30, claims 23-30 differ from claims 1-8 only in that claims 23-30 are

computer-readable medium (readable in metadata management system 200) type claims where as

claims 1-8 are method claims. Thus, claims 23-30 are analyzed as previously discussed with

respect to claims 1-8 above.

As to claims 31-44, claims 31-44 differ from claims 9-22 only in that claims 31-44 are

(readable in metadata management system 200) type claims where as claims 9-22 are method

claims. Thus, claims 31-44 are analyzed as previously discussed with respect to claims 9-22

above.

As to independent claim 45, Chasen et al. teach in a computer system for modifying the

metadata of a media file (metadata management system 200), said system having

- a graphical user interface including a display and a user interface selection device (graphical user interface 220 that interprets mouse actions, see col. 5 lines 44-51),
- a method of providing and selecting from a list of media files on the display, comprising:
  - selecting a media file from the list of media files being displayed by the user interface, said media file having a metadata field defining a property of the media file (i.e. selection of a song by mouse click, see col. 15 lines 8-13);
  - associating the selected media file with property category data within a property category being displayed by the user interface, wherein the property category data defines a different property than the property of the media file (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13); and

     o   wherein the computer system is responsive to associating the selected media file with property category data to modify the metadata field of the selected media file to correspond to the different property defined by the property category data a (i.e. see col. 15 lines 21-29).

As to claim 46, Chasen et al. teach the method of claim 45, wherein selecting the media file includes selecting and dragging the media file from a first location in the display, and wherein associating includes dropping the selected and dragged media file onto the property category data at a second location in the media library (i.e. see col. 15 lines 21-29).

As to claim 47, Chasen et al. teach the method of claim 45, wherein the list of media files are displayed in a media file data section, and wherein the property category data is displayed in an indexing section (i.e. in audio player program display 110).

As to independent claim 48, Chasen et al. teach a computer system for modifying the metadata of a group of media files (metadata management system 200), said system having

- a graphical user interface including a display and a user interface selection device,
- a method of providing and selecting from property category data on the display, comprising:
  - o selecting property category data within a property category being displayed by the user interface (i.e. selection of a song by mouse click, see col. 15 lines 8-13),
    - ▪ wherein the property category data defines a property of one or more media files (i.e. a song), and
    - ▪ wherein each of the one or more media files includes a metadata field defining a property of the media file (i.e. see col. 9 lines 29-42);
  - o associating the selected property category data with different property category data within a property category being displayed by the user interface, wherein the different property category data defines a different property of one or more media files (i.e. after dragging and dropping, a genre change from Jazz to New Age, see col. 15 lines 8-13); and
  - o wherein the computer system is responsive to associating the selected property category data with the different property category data to modify the metadata field of the one or more media files having the property defined by the selected property category data to correspond to the different property (i.e. see col. 15 lines 21-29).

As to claim 49, Chasen et al. teach the method of claim 48, wherein selecting property category data includes selecting and dragging the property category data from a first location in

the display, and wherein associating the selected property category data with the different

property category data includes dropping the selected and dragged property category data onto

the different property category data at a second location in the media library (i.e. see col. 15

lines 21-29).

As to claim 50, Chasen et al. teach the method of claim 48, wherein the selected property

category data and the different property category data are displayed in an indexing section (i.e. in

audio player program display 110).

Conclusion

4.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider

these references fully when responding to this action. The documents cited therein teach the

changing of metadata by dragging and dropping in a graphical user interface.

Inquiries

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Noble S. Wong whose telephone number is (571) 270-1044. The

examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Noble Wong
1/17/07

Kieu Vu
Primary Examiner